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January 13, 2015

VIA ECF

Hon. Paul E. Davison  
United States Magistrate Judge  
Southern District of New York  
300 Quarropas Street, Courtroom 620  
White Plains, NY 10601-4150

**MEMO ENDORSED**

Re: Goldstein et al. v. Solucorp, et al., Case No.: 11 Civ 6227 (VLB)

Dear Judge Davison:

We represent plaintiffs in this matter. In a conference before this Court on Monday, December 8, 2014, your Honor imposed a deadline of January 15, 2015, for plaintiffs to renew their previously-withdrawn *Motion to Strike the Answer of defendant Solucorp* (Docs. 131-134). Counsel for Solucorp has since indicated that he would produce a witness for deposition and has requested information on Solucorp's failure to provide adequate discovery responses. We have provided counsel with the requested information and also sought available deposition dates before the court-imposed discovery deadline of January 30, 2015. Although Solucorp is still in default in their obligations under the prior discovery schedule, we do not wish to unnecessarily burden the Court with motion practice given counsel's representation.

We therefore respectfully request that the Court grant an extension of our time to move for default against defendant Solucorp from January 15, 2015 to February 16, 2015. This will afford Solucorp the opportunity to provide complete discovery responses prior to the discovery deadline. In the event that Solucorp provides insufficient discovery, fails to provide a witness with relevant knowledge for deposition, or fails to provide other necessary and relevant discovery, plaintiffs would then be in a position to renew the motion to strike Solucorp's answer after the close of discovery.

**APPLICATION GRANTED**

Hon. Paul E. Davison, U.S.M.J.

1-15-15

Respectfully submitted,

Brian T. Carr (BC-2519)

cc: All counsel of Record (By ECF)

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